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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MILIA, MARK R

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/866,658

Applicant(s)

QIAO, JINGYU

Examiner

Mark R. Milia

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/13/05 has been entered. Currently, claims 1-9 and 11 are pending.

Response to Arguments

2. Applicant's arguments were addressed in the Advisory Action mailed 12/5/05 and will not be further addressed.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo in view of Hasegawa.

Regarding claims 1, 4, and 7, Endo discloses a system which supports a power save mode and performs printing by receiving a print request from a client comprising: a packet monitor that monitors a packet, and updates and stores client-associated last received time by the client, the client-associated last received time being the last time when the printer receives the packet for using the printer from the client (see column 3 line 66-column 4 line 51, reference shows a computer that requests print jobs from a printer connected thereto which is a packet of information therefor the reference teaches the claimed element), a printer usage rate computer that determines client condition based on the client-associated last received time, the client condition being idle condition when the packet is not received for a predetermined time, and computes a printer usage rate when the client condition is not the idle condition (see Table 1, column 5 lines 15-25 and 48-61, column 6 lines 3-18, and column 11 line 37-column 12 line 17, reference states the storage of print start times, print end times, interval of time between print jobs, and interval of time between last print job and the present time which is used to show the usage rate, also known as standby values, of the printer and thus calculate the sleep time that serves the same function as the claimed element), and a time setting unit that sets the length of time to switch to the power save mode based on the printer usage rate (see Table 1 and column 5 lines 12-14).

Endo does not disclose expressly receiving print requests via a network.

Hasegawa discloses receiving print requests via a network (see page 1 <0011>, page 3 <0018>-<0021>, and page 5 <0026>).

Endo & Hasegawa are combinable because they are from the same field of endeavor, power-save control of printers.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the network feature of Hasegawa with the system of Endo.

The suggestion/motivation for doing so would have been to provide multiple clients and printers with the advantages of a power-saving sleep mode for a printer as put forth by Endo that allows a printer to conserve energy when frequency of usage is low (see <0020>-<0021> and <0026> of Hasegawa).

Therefore, it would have been obvious to combine Hasegawa with Endo to obtain the invention as specified in claims 1, 4, and 7.

Regarding claims 2, 5, and 8, Endo and Hasegawa disclose the system discussed in claims 1, 4, and 7, and Endo further discloses a switching unit that switches the power save mode to a standby mode when the printer usage rate computed by the printer usage rate computer is higher than a predetermined value (see column 9 lines 31-47).

Regarding claims 3, 6, and 9, Endo and Hasegawa disclose the system discussed in claims 1, 4, and 7, and Endo further discloses wherein said time setting unit determines the length of time allowed before a transition to the power save mode, by determining a power save interval according to the printer usage rate and subtracting an elapsed time in a mode other than the power save mode from the power save interval (see Table 1 and column 5 lines 35-44).

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Endo and Hasegawa as applied to claim 1 above, and further in view of U.S. Patent No. 5841981 to Kondo.

Endo and Hasegawa do not disclose expressly a list generator that generates a list of the clients which is working on the network when the packet is received by the printer.

Kondo discloses a list generator that generates a list of the clients which is working on the network when the packet is received by the printer (see Figs. 4, 6, 16, 23, and 36, column 14 line 61-column 15 line 2, column 16 lines 31-36, column 18 lines 26-31, column 23 lines 32-40, and column 25 lines 51-58).

Endo, Hasegawa, & Kondo are combinable because they are from the same field of endeavor, configuration of computing systems.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the generating of a list of clients working on the network as described by Kondo and which is known in the art, with the system of Endo and Hasegawa.

The suggestion/motivation for doing so would have been to provide quick and easy access to the amount of clients located on a network to smoothly control operations in managing the network.

Therefore, it would have been obvious to combine Kondo with Endo and Hasegawa to obtain the invention as specified in claim 11.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached at (571) 272-7471. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia
Examiner
Art Unit 2622

MRM

JOSEPH R. POKRZYWA
PRIMARY EXAMINER
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